

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:)
) Chapter 7
CHERRY BROS., LLC.,) Case No. 19-11644-amc
)
Debtor.)
)
)
Gary F. Seitz, as Chapter 7 Trustee of)
the Estate of Cherry Bros., LLC.,)
)
Plaintiff,)
v.) Adv. Proc. No.: 20-00071-amc
)
XPO Logistics, Inc.)
Defendant.)
)

STIPULATION OF DISMISSAL

NOW, THEREFORE, this 1st day of July, 2021, **IT IS HEREBY STIPULATED AND AGREED** by and between Gary F. Seitz, as Chapter 7 Trustee of the Estate of Cherry Bros., LLC (“Plaintiff”), through its counsel, and XPO Logistics, Inc., (“Defendant”), through its counsel, pursuant to Federal Rule of Bankruptcy Procedure 7041 and Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the above-captioned adversary proceeding and any and all claims asserted therein are dismissed with prejudice.

(Signature page to follow)

Dated: July 1, 2021

<p>GELLERT SCALI BUSENKELL & BROWN, LLC</p> <p><u>/s/ Holly S. Miller</u></p> <p>Holly S. Miller, Esq. 8 Penn Center 1628 John F. Kennedy Blvd., Suite 1901 Philadelphia, PA 19103</p> <p><i>Attorney for Gary F. Seitz, as Chapter 7 Trustee for the Estate of Cherry Bros., LLC</i></p>	<p>FISHERBROYLES, LLP</p> <p><u>/s/ Deborah Fletcher</u></p> <p>Deborah Fletcher, Esq. 6000 Fairview Road, Suite 1200 Charlotte, NC 21210</p> <p><i>Attorney for Defendant XPO Logistics, Inc.</i></p>
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